

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of:)	
)	
)	
AVATAR study on avian)	MB Docket No. 03-187
interaction with communication)	

To: The Commission

COMMENTS OF S-R BROADCASTING CO., INC. (S-R), the licensee of KRKO-AM, pursuant to the Notice of Proposed Rulemaking, MB Docket No. 03-187. Based on our experience in working with various agencies, it appears there is virtually no scientifically credible evidence to support a conclusion that structures under 500' AGL, guyed or unguyed, contribute to avian mortality in any meaningful way, unless the structure is located on a ridgeline of some type. Furthermore, the Avatar report ignored the question of whether avian mortality of any kind is more likely to occur in the Gulf States or in the Midwest as opposed to the Pacific Northwest or West Coast. We are aware of one study conducted on three 1,900+ ft. television towers in the Sacramento area that found virtually no mortality events across two migratory seasons. We recommend Dr. Paul Kerlinger as someone the Commission should contact regarding the body of available scientific evidence, both current and former. Dr. Kerlinger is pioneering research in this field.